

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>MELISSA DENT,</b>	§	
	§	
<b>Plaintiff,</b>	§	
	§	
<b>v.</b>	§	<b>Civil Action No. 3:20-CV-00124-S</b>
	§	
<b>METHODIST HEALTH SYSTEM, et al.</b>	§	<b>JURY TRIAL DEMANDED</b>
	§	
<b>Defendants.</b>	§	

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**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL**

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Counsel Blerim Elmazi, Esq., S. Lee Merritt, Esq. and Mark V. Maguire, Esq. hereby move this Honorable Court for leave to withdraw as counsel and in support thereof, aver as follows:

1. On January 16, 2020, Plaintiff filed a Complaint in this matter asserting a violation of her constitutional rights. (ECF No. 1).
2. Prior to filing the Complaint, Counsel for Plaintiff contacted various law enforcement agencies and courts in search of the alleged warrant that was used to arrest Plaintiff. Counsel's office contacted the Tarrant County District Clerk's Office, Arlington Police Department, Dallas Police Department, Dallas County Sheriff's Office, Methodist Health Systems Police Department, and the Action Center at the Arlington Municipal Court. Counsel was unable to obtain a copy of the warrant that was used as the basis for Plaintiff's arrest despite its diligent attempts.

2. On August 3, 2020, Defendants United States of America and Jamon Mathews filed their motions to dismiss Plaintiff's Complaint and attached to the motion for Defendant Mathews two exhibits including "Eviction Proceedings" and "Warrant." (ECF No. 34, 35, 36, 37).

3. Despite requests made prior to filing the Complaint, Plaintiff had never previously seen these materials related to the warrant.

4. After the filing of the Motion to Dismiss in August 2020, defense counsel made these materials available to Plaintiff.

5. Counsel for Plaintiff contacted the City of Arlington Municipal Court to confirm the validity of the warrant that was presented to Plaintiff when defense counsel filed its Motion to Dismiss. The City of Arlington confirmed its validity by retrieving a copy of the warrant in question and giving it to Plaintiff's counsel.

6. Based upon review of these materials, undersigned counsel had considerable doubts about the continued viability of Plaintiff's claim.

7. Following the filing of the Motion to Dismiss, undersigned counsel reached out to Plaintiff to communicate these concerns. Undersigned counsel met with Plaintiff via Zoom video conferencing on two separate occasions to discuss these concerns and that counsel would be requesting withdrawal from the case. These video conferences occurred on November 5, 2020 and November 19, 2020 and included all of the undersigned counsel and Plaintiff.

8. Counsel discussed these concerns with Plaintiff and has indicated that if she wished to continue pursuing this action, she would need to secure new representation or proceed pro se.

9. It is the undersigned's understanding that Plaintiff may wish to seek alternative counsel and continue pursuing her claims in this matter. As a result, we respectfully request that the

Court's Scheduling Order (ECF No. 33) be stayed till Plaintiff has had the opportunity to acquire alternative counsel.

10. Counsel Stacy Lee Merritt, Esq., Blerim Elmazi, Esq., and Mark V. Maguire, Esq. now seek leave of the Court to Withdraw as Counsel.

11. Undersigned counsel reached out to attorneys of record for all defendants in this matter. Opposing counsel for each defendant has indicated the Motion to Withdraw is unopposed.

12. A copy of this motion is being sent to Plaintiff via US Mail and certified mail.

Wherefore, for the reasons cited herein, Stacy Lee Merritt, Esq., Blerim Elmazi, Esq., and Mark V. Maguire, Esq. hereby seek leave of the Court to withdraw as counsel.

Respectfully Submitted,

/s/ S. Lee Merritt

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/s/ Mark V. Maguire

**Mark V. Maguire**

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Date: December 14, 2020

**CERTIFICATE OF CONFERENCE**

I, Blerim Elmazi, Esq., hereby certify that I have conferred with Counsel for Defendants on December 14, 2020, and that Counsel for Defendants do not oppose this Motion.

/s/ Blerim Elmazi

Blerim Elmazi, Esq.

Date: December 14, 2020

**CERTIFICATE OF SERVICE**

I, Blerim Elmazi, Esq. hereby certify that the foregoing Plaintiff's Unopposed Motion to Withdraw as Counsel was filed via the Court's electronic filing system and thereby served upon all parties of record. Additionally, the Motion is being mailed via US Mail and certified mail to Plaintiff's mailing address.

/s/ Blerim Elmazi

Blerim Elmazi, Esq.

Date: December 14, 2020